IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 529 OF 2006
IN
NOTICE OF MOTION NO. 1860 OF 2006
IN
WRIT PETITION NO. 1650 OF 2006

Wizard Realtors & Logistics Pvt. Ltd.] .. Appellant
(Ori.Plaintiff)

Versus

1. Smt. Perviz Sarosh Batliwalla & anr.] .. Respondents
(Ori.Defendants)

Mr. Sandip Parikh i/b M/s. India Law Alliance for the appellant.

Mr. Shailesh Shah i/b Mr. U.L. Shah for the respondents.

CORAM: R.M. LODHA &
S.A. BOBDE, JJ.

DATED: 19TH SEPTEMBER, 2006

P.C. :

. By consent of the counsel for the parties, the Appeal itself is taken up for final hearing at this stage.

2. After arguing the matter for some time, the counsel for the parties agreed that the Appeal may be disposed of finally by the following order without

prejudice to the rights and contentions of the parties before the learned Motion Judge at the time of final hearing of the Notice of Motion. Hence the order:

(i) The defendants shall file their reply to the Notice of Motion within two weeks from today. Rejoinder Affidavit, if any, may be filed by the plaintiff within one week therefrom.

(ii) Until the disposal of the Notice of Motion, the ad-interim order passed by this Court on 9th August, 2006 shall remain operative.

3. We request the Motion Judge to hear and decide the Notice of Motion expeditiously and, if possible, within three months from today. In case the Motion is not heard within three months from today, we grant liberty to the defendants to apply to the learned Motion Judge for vacation of the ad-interim order.

4. Needless to say that the Notice of Motion shall be decided by the learned Motion Judge on its own merits uninfluenced by the ad-interim order dated 9th August, 2006.

. Appeal stands disposed of.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.A. BOBDE, J.]